Daniel W. Bell, Jr., et ux

******* FINDINGS OF FACT AND CONCLUSIONS OF LAW

* CASE # 89-210-SPH

The Petitioner herein requests a Special Hearing to approve the legality of two (2) dwellings on the subject property, as more particularly described on Petitioner's Exhibit 1.

The Petitioners appeared and were represented by S. Eric DiNenna, Esquire. The Petitioners were supported by the testimony of Mr. Frank W. Martin and Mr. Frank W. Martin, Jr. The Protestants, Ms. Sally Rosenberger, Mr. Leslie Groth and Mr. Robert Pemberton appeared, testified and were represented by Robert W. Baker, Esquire.

The evidence and testimony is not severely in dispute. The parties agree on most of the factual issues. The evidence would tend to establish that during the 1940s, 1950s and through the early 1960s, many of the lots shown on Petitioner's Exhibit 1 were owned by the Petitioner's predecessors in title.

The subject property is in the subdivision of Oakleigh Beach and is zoned D.R. 5.5 as shown on Petitioner's Exhibit 1. The land is known as lot #99 and is improved with two (2) separate dwelling units. Lot #99 consists of approximately 7,500 square feet and is known as 1719 Pin Oak Avenue.

The Petitioner claims that in 1961 a second dwelling unit, namely, the house on the front of the lot, was moved to this property. The

Petitioner claims the second house was moved to the site on a truck and that Baltimore County, Maryland knew about the two homes on lot #99 and agreed to this arrangement. These statements are mere allegations; there is no evidence of this knowledge on Baltimore County's part.

The Petitioner states that the right to have the two homes on lot #99 is unquestionable. The Petitioner claims that Baltimore County, Maryland must prove the second home has no right to remain on lot #99.

The Petitioner argues that Baltimore County has acquiesced in the existence of two dwelling units on this lot since 1961. Basically, the argument is made that Baltimore County is estopped from forcing the removal of one of these dwelling units at this time. The Petitioner argues that there was a permit obtained to locate the second house on lot #99 in 1961, although no evidence to support that statement can be

The Protestants argue that the regulations should be enforced as they exist and that the density requirements found in the D.R. regulations must be vindicated. The Office of Planning and Zoning has offered no comment concerning this violation of the density regulations. The Protestants also argue that an estoppel argument is legally insufficient in light of the fact that there is no evidence to prove that the County actually participated in the establishment of the second illegal unit. There is no evidence to prove any official governmental actions that authorized or legitimized this second dwelling .

The Protestants also testified regarding their unhappiness about two dwelling units on one lot and the interference that it creates with their enjoyment of their properties. Quite honestly, this matter does

not lend itself to a determination concerning esthetic desires or the personal likes or dislikes of either the Petitioner or the Protestants.

The central issue involved in this matter is whether or not the subject property, (i.e., lot #99 as shown on Petitioner's Exhibit 1) is entitled to continued development with two dwelling units. Clearly, this is not a nonconforming use case and the Petitioner does not appear to attempt to argue that it is a nonconforming use case. There is no evidence in the record tending to establish that a nonconforming use could be established pursuant to the requirements of Section 104 of the

There is no no legally valid or permissible reason to establish the continuation of the second dwelling unit upon lot #99. The Petitioner's argument concerning the doctrine of estoppel simply does not provide a sufficient basis for ruling in their favor. The doctrine of estoppel does not operate to protect an illegal zoning use from being revoked under the facts established herein. See, Lipsitz v. Parr 164 Md. 222, 164 A2d 743 (1933). Also see, Park Shopping Center Inc. v. Lexington Park Theatre Company 216 Md. 271, 139 At2d.

The Petitioner also argues that the County's alleged acquiescence in the improper use of this land since 1961 has created a bar to the official right to revoke that illegal activity from that lot of land. It has been established in Maryland since virtually the advent of zoning that an impermissible use not only must be denied, but also must be revoked where allowed by mistaken official action.

Even if I view the Petitioner's case in a light most favorable to him, there, clearly, is no evidence to support any official acquies-

cence in the establishment of the second dwelling unit on this lot. The arguable existence of an illegal use on this property for a number of years does not in and of itself establish an official right or sanction to that illegal use. Even if there was any evidence of an official granting (i.e. a permit) of this illegal act, which would have to be viewed as a mistake, that official action would have to be corrected upon notice of the error.

Clearly, the use of lot #99 as shown on Petitioner's Exhibit 1 is improper since two dwelling units may not be established on a 7500 square foot lot in a D.R. 5.5 zone. There is no substantive evidence to establish a nonconforming use and the burden to establish a nonconforming use rest with the party petitioning for the relief. The doctrine of estoppel simply does not apply to an improper zoning use and, specifically, does not apply in this matter as described above.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested Special Hearing should be Denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this day of unlary, 1989, that the Petition for Special Hearing to approve the legality of two (2) dwellings on the subject property, as more particularly described on Petitioner's Exhibit 1, be and the same is hereby DENIED and one of the subject dwelling units shall be removed from lot #99 of Oakleigh Beach on or before June 1, 1989.

cc: Peoples Counsel S. Eric DiNenna, Esq., Su. 600, 409 Washington Ave. Towson, Md. 21204 Robert W. Baker, Esq., Su. 300, 222 E. Redwood St. Balto.Md. 21202 Sally Rosenberger, 913 Oakleigh Beach Rd., 21222 Leslie Groth, 904 Meadow Avenue, Balto.Md. 21222 Robert Pemberton, 913 Oakleigh Beach Road, 21222 Frank W. Martin, Sr., 1405 Bethlehem Avenue, 21222

Frank W. Mertin, Jr., 1715 Pin Oak Avenue, 21222

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines Zoning Commissioner

January 3, 1989



S. Eric DiNenna, Esquire 409 Washington Avenue Suite 600 Towson, Maryland 21204

> RE: Petition for Special Hearing Case #89-210 SPH Daniel W. Bell, Jr., et ux, Petitioners

Dear Mr. DiNenna:

Enclosed please find the decision rendered on the above captioned case. The Petition for Special Hearing has been denied, in accordance

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 494-3391.

Zoning Commissioner

JRH:mmn att. cc: Peoples Counsel Robert W. Baker, Esquire Sally Rosenberger, Esquire Leslie Groth Robert Pemberton Frank W. Martin, Sr. Frank W. Martin, Jr.

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER SE/S Pin Oak Ave., 145' SW C/L Oakleigh Beach Ave., (1719 Pin Oak Ave.) 15th Election District 7th Councilmanic District

DANIEL W. BELL, Jr., et ux, Petitioners

::::::

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

> Phyllis, Cole Friedman People's Counsel for Baltimore County

OF BALTIMORE COUNTY

Jetu Max Tommer Peter Max Zimmerman Deputy People's Counsel Room 304, County Office Building Towson, Maryland 21204 494-2188

I HEREBY CERTIFY that on this 25th day of November, 1988, a copy of the foregoing Entry of Appearance was mailed to S. Eric DiNenna, Esquire, 409 Washington Ave., Suite 600, Towson, MD 21204, Attorney for Petitioners.

Peter Max Zimmerman

PETITION FOR SPECIAL HEARING TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-210-SPH The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve _____

the legality of two (2) dwellings on the subject property.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

	Contract Purchaser:	Legal Owner(s):	1 75 11
		Daniel W. Bell, 3 r.	MAP _58 40
	(Type or Print Name)	(Type or Print Name)	2 E.D. 15 th
	Signature	Signature Judy Lee Ann Bell	DATE 3-28-8
	Address	(Type or Print Name)	1000 X
1	City and State	Signature	DP
	Attorney for Petitioner:		
1 6	S. Eric DiNenna	1719 Pin Oak Avenue	388-0777
1/2	(Type or Print Name)	Address	Phone No.
	Signature	Baltimore, Maryland City and State	
N	409 Washington Ave., Suite 600 Address	Name, address and phone number of leg tract purchaser or representative to be	al owner, con- contacted
0	Towson: Maryland 21204 City and State	S. Eric DiNenna	

ORDERED By The Zoning Commissioner of Baltimore County, this required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore Baltimore County in Room 100, county out 1988, at 2 o'clock

A. Robert Haines

Address 296-6820

409 Washington Ave., Suite 600; 21204

O ் Attorney's Telephone No.: 296-6820

Beginning on the Southeast side of Pin Oak Avenue, 40 feet wide, at the distance of 145 feet southwest of the centerline of Oakleigh Beach Avenue. Being Lot 99 in the subdivision of Oakleigh Beach. Book No. 12, Folio 46. Also known as 1719 Pin Oak Avenue in the 15th Election District.

89-716-378 CERTIFICATE OF POSTING Special Horring Deviel W. Bell, In stur Location of property: SE/S Pin Oak Are, M5' SW / Oakleigh Beach or some Facing Pin dot for oppose 20 For toodway

CERTIFICATE OF PUBLICATION

NOTICE OF HEARING Res Zening Commissioner of Bullinore Courty, by sufficiely of the Zoning Act and Regulations of Bullinore Courty will note a public hearing on the property identified harvin in Room 105 of the County Office Building, located at 111 W. Cleanpeate Avenue in Toward, Maryland as follows:

Toward, Maryland as follows:

Feether Special Hearing
Case Humber: 88-288-874 ***

SES Pin Out Avenue, 145' SW c1 Cuttight Beach (1719 Pin Out Avenue) TSN Encion District 7th Councilments Pullicrumts: Daniel W. Bell, Jr., et un Heuring Scheduled: THURSDAY, DECEMBER 8, 1988 at 2:00 p.m." recin! Housing: The legally of two (2) relings on the subject property. F PHASE # OF SNOW EMER GENCY PLAN IS IN EFFECT ON THIS DATE. CASE WILL BE PESCHEDULED. CALL 404-3391 TO CONFERN DATE. In the owner that the Pattion is granted. a building point may be issued within the Burly (SU) day appeal period. The Zoning Commissionar will, someon writing to a stay of the tied for good cause shown. Such as quant must be in writing and receive in this office by the dails of the heaving

TOWSON, MD. Movember 18 19.88 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on

s. Zahe Orlan

frice \$ 30.00

Towns, Maryland 21201 FINE FEMALE The Junity Communique of Balti-muse County by self-rip of the coming Act and Deputations of Bulli-Office Building, Incated at 111 i Cherapaule Anneus in Tourson, Mary Politics for Special Hearing COSE MINUSER ID-ZIASTO SE/S Fin Oak Amount 146 SH c/1 Oaklays Banch (179) Pt Bai Annual 15th (...a Habiet 7th Constitute Maint Publicancy David E Sad, b. of El MEMBRIC SCHEDULER DESISDAY, SECRETER & 1968 at 260 p.m.* Special Harring: The legality of two (2) declings on the publicit of PHISE II OF SHOW ENER-CENCY PLAN IS IN EFFECT ON DHS DATE, CASE WILL BE RESCHE-DIRED CALL 494-3391 TO CONFIRM in the event that this Petition i graded, a building permit may be inseed within the thirty (30) day ap-pead period. The Joning Commisstone will, however, entertain any request for a stay of the issuance of said pormit during this period for good cause shown. Such request must be in uniting and assessed in

Tis effice by the date of the hourand above or presented at the

J. HOMEN MANES Dring Commissions of Ballimore County CERTIFICATE OF PUBLICATION

OFFICE OF Dundalk Eagle

4 N. Center Place P. O. Box 8936 Dundalk, Md. 21222

November 17, 1983

THIS IS TO CERTIFY, that the annexed advertisement of J. Robert Haines in the matter of Zoning Hearings - P.O. #05872 - Req. #M20425 - 97 lines @ \$48.50. was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week 1988; that is to say, 18th day of the same was inserted in the issues of Nov. 17, 1988

Kimbel Publication, Inc.

By K. C. Delke

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this day of October

Petitioner's Attorney S. Eric DiNema

James E. Dyer Chairman, Zoning Plans Advisory Committee

per Publisher.

BALTIMORE COUNTY, MARYLAND OFFICE OF FIRE CE-REVENUE DIVISION MISCELLANEOUS CASH RECEIPT WOUNT \$ - 5 . 116 113421931 B 40 B G17*****3500;a 2022F VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FRUNCE- REVENUE DIVISION No 58967 MISCELLANEOUS CASH RECEIPT R-01-615-000

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3353

J. Robert Haines

Mr. & Mrs. Daniel W. Bell, Jr. 1719 Pin Oak Avenue Baltimore, Maryland 21222

Re: Petition for Special Hearing CASE NUMBER: 89-210-5PH SE/S Pin Oak Avenue, 145' SW c/l Oakleigh Beach (1719 Pin Dak Avenue)

15th Election District - 7th Councilmanic Petitioner(s): Daniel W. Bell, Jr., et ux HEARING SCHEDULED: THURSDAY, DECEMBER 8, 1988 at 2:00 p.m.*

Dear Mr. & Mrs. Bell:

Please be advised that 93.50 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

Please note that should you fail to return the sign and post set(s), there will be an additional \$25.00 added to the above fee for each set not

Very truly yours,

Date: 12/5/88

Dennis F. Rasmussen
County Executive

J. Robert Haines J. ROBERT HAINES Zoning Commissioner of Baltimore County

cc: S. Eric Dillenna, Esq.

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3353

J. Robert Haines

Petition for Special Hearing

NOTICE OF HEARING



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

CASE NUTBER: 89-210-5PH SE/S Pin Dak Avenue, 145' SW c/l Ozkleigh Beach (1719 Pin Dak Avenue) 15th Election District - 7th Councilmanic Petitioner(s): Daniel W. Bell, Jr., et ux HEARING SCHEDULED: THURSDAY, DECEMBER 8, 1988 at 2:00 p.m.* Special Hearing: The legality of two (2) dwellings on the subject property.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES Zoning Commissioner of Baltimore County

cc: S. Eric DiNenna, Esq. Daniel W. Bell, Jr., et ux

*NOTE: IF PHASE II OF THE SNOW EMERGENCY PLAN IS IN EFFECT IN BALTIMORE COUNTY BY 8:30 a.m. DN THE DATE OF THE ABOVE HEARING, SUCH HEARING WILL BE POSTPONED AND TENTATIVELY RESCHEDUL-ED FOR THURSDAY, JANUARY 12, 1989. PLEASE TELE-PHONE DOCKET CLERK AT 494-3391 TO CONFIRM DATE.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

S. Eric DiNenna, Esquire 409 Washington Avenu, Suite 600 Towson, Maryland 21204

Dear Mr. DiNenna:

RE: Item No. 93 - Case No. 89-210-SPH Petitioner: Daniel W. Bell, Jr., et ux Petition for Zoning Variance

Bureau of

Bureau of fire Prevention

Health Department

Project Planning

Board of Education

with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested **Building Department**

The Zoning Plans Advisory Committee has reviewed the plans submitted

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received. I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

December 1, 1988

Alstrack Y JAMES E. DYER Zoning Plans Advisory Committee

JED:dt Enclosure

Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 494-3554

October 11, 1988

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 55, (93,) 94, 95, 96, 98, 99, 100, & 101.

Michael S. Flanigan Traffic Engineer Associate II

MSF:lab

BETIMORE COUNTY, MARTIAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines

TO Zoning Commissioner Date December 7, 1988

Fat Keller, Deputy Director FROM Office of Planning and Zoning

SUBJECT Zoning Petition Nos. 89-214-A (Hottinger); 89-216-SPHA (Grebe); 89-219-SPHA (Powell); 89-222-SPH (Lawrence); 89-227-A (Stem); 89-232-A (McMillan); 89-234-A (Seven Courts); 89-242-A (Bacharach); and 89-244 (Dickel)

The Office of Planning and Zoning has no comment on the above listed projects.

ZONING OFFICE

Baltimore County Fire Department Towson, Maryland 21204-2586

Paul H. Reincke

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204

Re: Property Owner: Daniel W. Bell, Jr., et ux

Location: SE/S of Pin Oak Avenue, 145' SW of c/l of

Dennis F. Rasmussen
County Executive

September 27, 1988

Oakleigh Beach Avenue Item No.: 93 Zoning Agenda: Meeting of 9/20/88

Gentlemen: Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or ____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at __

EXCEEDS the maximum allowed by the Fire Department.

(x) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. Driveway shall have 12' width for Fire Department access. (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Pro-tection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

Noted and REVIEWER: Approved: Planning Group
Special Inspection Division

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: James E. Dyer Zoning Supervisor

DATE: September 7, 1988

FROM: James H. Thompson Zoning Enforcement Coordinator

RE: Item No. 93 (if known) Petitioner: Bell (if known)

VIOLATION CASE # C-88-2320

LOCATION OF VIOLATION 1719 Pinoak Avenue

DEFENDANT Daniel W. and Judy Lee Ann Bell

ADDRESS 1719 Pinoak Avenue Baltimore, MD 21222

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

Sandra Rosenberger

913 Oakleigh Beach Road Baltimore, Maryland 21222

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. J. Robert Haines Zoning Commissioner

DATE: October 25, 1988

FROM: Mr. Robert W. Sheesley

SUBJECT: Petition for Special Hearing Item #93 Bell Property - 1719 Pin Oak Avenue Lot #99 - Oakleigh Beach

Subject property is located at 1719 Pin Oak Avenue, south of Oakleigh Beach Avenue. The site is within the Chesapeake Bay Critical Area and is classified as Limited Development Area.

The applicant has filed a Petition for Special Hearing to approve the legality of two dwellings on an existing lot of record.

According to Critical Area Law:

"A local jurisdiction shall permit a single lot or parcel of land that was legally of record on the date of the program approval to be developed with a single family dwelling, if a dwelling is not already placed there, not withstanding that such development may be inconsistent with the density provision of the approved local program." <COMAR 14.15.02.07 B>.

Therefore, this project is inconsistent with Critical Area Law and cannot be approved.

Please contact Mr. David C. Flowers at 494-3980 if you have any questions.

> Robert W. Sheesley, Director Department of Environmental Protection and Resource Management

RWS:DCF:tjg

Attachment

cc: The Honorable Ronald B. Hickernell



ZONING OFFICE

69-2105PH

1715 PIN OAK AVE BALTO MD ZIZZZ trunk IN Martin 1405 Bethliken and Bilt Md 21723 mr & mrs Naniel W. Bell Gr 1719 Pin Oak ave Balto Md 2/222 Mr. Ma Louis Boucher 919 Short Rd Balto. Md 21202 912 OAKleich BEACh Pd Balton Md 21222 MRS PARRIOT Phillips 914 OAKLEICH BEACK RD BALTIMORE, MD 21222 MRS JAMES L Sadler 909 OAKleigH BCH. Rd Mr + Mrs Charles Brittain 1919 B Carpen Oak Ag BaH. Md 21222

89-2105PH

2/222 913 Oaklust Beach Rd 21222

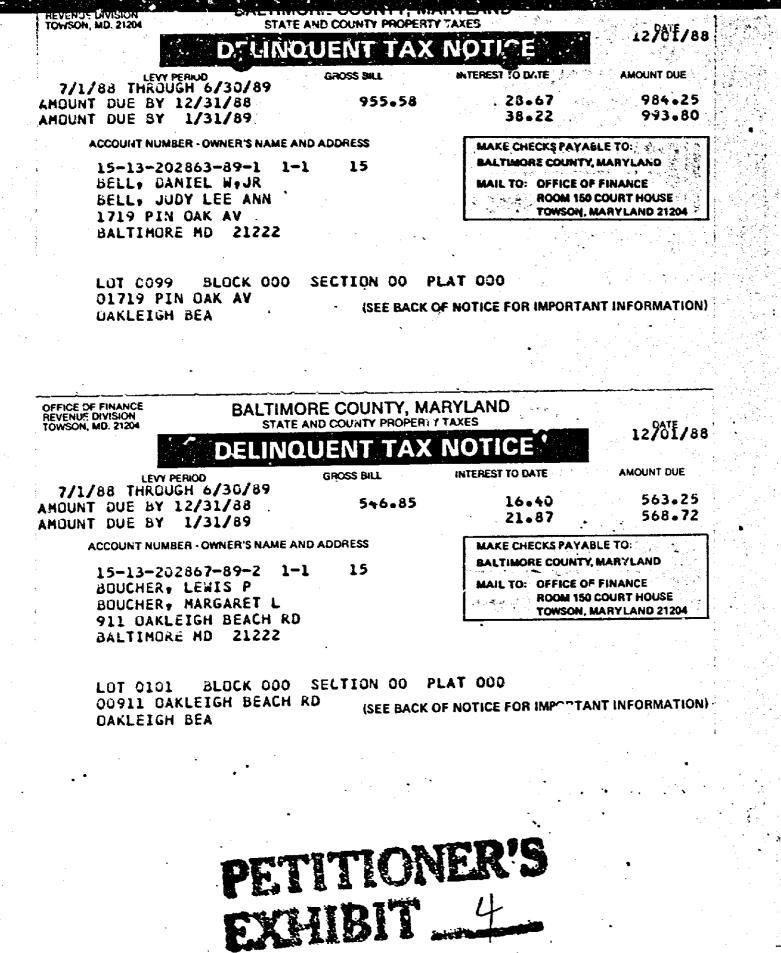
94 29'8" **(35)** EASEMEN 224.1 174.1 -OPEN PORCH 5' * 14' PORCH 4' *7' PORCH 4' * 7' OPEN PORCH Lot size - 7,500 seft/. 172 ac - 1719 Pin Ock Ave

PLAT FOR ZONING/SPECIAL HEARING OWNER DANIEL W. & JUDY L. BELL JR. DISTRICT IS ZONED D.R. S. S SUBDIVISION OAKLEIGH BEACH Scale 1 = 30' LOT 99. BOOK NO 12. FOLIO 46. - EXISTING UTILITIES IN PIN OAK AVENUE

7,500 se ft. / 172 ac. - 1719 Pin Oak Avenue. EXHIBIT 1

BALTIMORE COUNTY METROPOLITAN DISTRICT Sewer 1958 Se									
Hans No 1719	House No. 1719 Location 130 he South of Oakleigh Beach Road						Vicialty		
CLESCATION ST		35 c	Water #	15_	ε.	Date	Owner: Name and Address	Folio	
CLASSIFICATION	PL SEE	Am's	" PL	Am't			To Mandan	2423	
Business	230 40 TO BY		1-19-12 7	74 k		4-9-47	Niles W. and Helen L. Martin	1 242	
Subdivision	SE CONTRACTOR A	9 50 March	50		50	4/17/75	Hutchins, Viola H.	1	
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PETITIONER'S EXHIBIT 3



BALTIMORE COUNTY, MARYLAND
STATE AND COUNTY REAL PROPERTY TAXES JULY 1,1988-JUNE 30,1989 BALTIMORE COUNTY, MA TYLAND 724.12 15-18-720550 89 6 07701788 9/30 1518720550896000724120007298800073564000743000007503600075771 PETITIONER'S EXHIBIT 5

Dec. 4. 1988 Towkom it may Concur: The have lined at 1716 Pin Oak Que. Since 1951 - for all These years we have Seen people move in and out of the house, located on the Same lot, behind 1719 Fine Oak Que. We have no objections at all about the house being there, Or The people who are now living. PETITIONER'S State of Md. Seets EXHIBIT 6 On this date, Dee 7. 1988 before me personally came Darathy Hicks & Whiter Wield, to me known who, heing by me duly sween, deledepase and say the foregaing statement and that they supper their mannets the above statement 2 % story

10 00 12370 15750 Buildings (other) 21,111 32096 35413 45470 28,46 42010 57783 61220 78 9/1/81 5.4 14 8-27-47 DEC 7 81 DEC 0 4 1984 DEC 9 1997 New Owner Notice Date of Hearing /alve Changed 70660 72607 76153 96/ 05 mmo acancy Allowance **Land Valuation** 12375 15750 1 2 3 4 5 6 7 8 1 2 3 4 5 6 7 Post or Pier Accessory structures
TOTAL

1717 Pin Oak ave. on my property valued.

On this date Dec. 7, 1988 before me to me known who, being by me duly Swarn, did depose & say the foregoing

PETITIONER'S

To Whom it may concern: Lan Fraine Bilmon. I live at I am aware of my neighbor at 1719 having a second house on their property, I was aware of it when I purchased my property and do not feel that it has any effect

Joraine Q. Bilmou

State of Md. Buto Co.

personally appeared Laraine R. Gilmore statement & that she signed her name to the above statement

Carele Junida Natury Public

EXHIBIT D

To whom it may Concern: The property at 1719 Fin Oak Que. 21232. Bultimore County has had a Small dwelling on the back of the frequety Since at least 1953. We have lived acrose the street at 1716 Lin Oak ave.

Since we moved here in April 1953. and The house was there at that time. Dorothy S. Hicks

walter Hicks PETITIONER'S EXHIBIT ___

state of Meryland, Bello. County

I, hereby certify that on May 20, 1988 Dorothy L. Keeke & Walter Necks gersonelly appeared before me & is Lower to me to be the person whose names are above and reknawlege the foregoing statement to be their act, + en my presence signed seeled the same.